

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of Texas

ADIDAS AG, ADIDAS INTERNATIONAL
MARKETING B.V., ADIDAS AMERICA, INC. and
RUNTASTIC GMBH

Plaintiff(s)

v.

NIKE, INC.

Defendant(s)

Civil Action No. 2:22-cv-00198

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

Nike, Inc.
c/o United Agent Group, Inc.
5444 Westheimer Road, Suite 1000
Houston, Texas 77056

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Melissa R. Smith
Gilliam & Smith LLP
303 South Washington Avenue
Marshall, Texas 75670
903-934-8450
melissa@gilliamsmithlaw.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: **6/10/22**



CLERK OF COURT

David A. O'Toole

Signature of Clerk or Deputy Clerk

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Civil Action No. 2:22-cv-00198

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

Affidavit
Attached

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____

Affidavit
Attached

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 .

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Affidavit
Attached

Printed name and title

Server's address

Additional information regarding attempted service, etc:

AFFIDAVIT OF SERVICE

**UNITED STATES DISTRICT COURT
Eastern District District of Texas**

Case Number: 2:22-CV-00198

Plaintiff:
**ADIDAS AG;
ADIDAS INTERNATIONAL MARKETING B.V.;
ADIDAS AMERICA, INC.; and
RUNTASTIC GMBH**

vs.

Defendant:
NIKE, Inc.

For:
Melissa R. Smith
Gillam & Smith, L.L.P.
102 N College
Suite 800
Tyler, TX 75702

Received by Collins Investigations on the 10th day of June, 2022 at 2:16 pm to be served on **Nike, Inc. c/o United Agent Group, Inc, 5444 Westheimer Road, Suite 1000, Houston, Harris County, TX 77056.**

I, Carol Agnew, being duly sworn, depose and say that on the **13th day of June, 2022 at 11:58 am, I:**

Executed service by hand delivering a true copy of the **Summons in a Civil Action, Copy of Complaint For Patent Infringement; Corporate Disclosure Statement; Demand for Jury Trial; Notice of Filing of Patent Trademark Form; and Civil Case Cover Sheet**, to: **Alyssa Alejandro personally as Authorized Acceptance Agent** at the address of: **5444 Westheimer Road, Suite 1000, Houston, Harris County, TX 77056**, who is authorized to accept service for **Nike, Inc.**, and informed said person of the contents therein, in compliance with state statutes.

"I certify that I am over the age of 18, have no interest in the above action, and am a Certified Process Server in good standing in the judicial circuit in which the process was served. I have personal knowledge of the facts set forth in this affidavit, and they are true and correct."

Carol Agnew

Carol Agnew
psc-3025 Exp 8/31/2023

**Collins Investigations
110 N College
Suite 1002
Tyler, TX 75702
(903) 526-1411**

Our Job Serial Number: **ONT-2022003427**

Subscribed and Sworn to before me on the 15th day of June, 2022 by the affiant who is personally known to me.

Robert David Baker

NOTARY PUBLIC

